

REMARKS

Reconsideration and allowance of the above-identified Application in view of the following remarks are respectfully requested.

Claims 54-72 are pending in the Application. Claims 59, 60, 66, 67, 71 and 72 have been withdrawn from consideration.

The Examiner rejected claims 54, 55, 57, 58, 61, 63-65 and 68 through 70 under 35 U.S.C. § 102(b) as being anticipated by Hiyama et al. (U.S. Patent No. 5,436,655). In addition, the Examiner rejected claims 56 and 62 under 35 U.S.C. § 103(a) as being unpatentable over Hiyama et al. Applicants respectfully traverse these rejections for at least the following reasons.

The Examiner interpreted Hiyama et al. as disclosing in Figures 18, 19, 21, 25, 37, 66 and 76 the same TV observation system for an endoscope as recited in claims 54, 55, 57, 58, 61, 63-65 and 68-70 of the present invention. The Examiner specified a number of features disclosed in Hiyama et al. as corresponding to features recited in the claims. In particular, the Examiner indicated that Hiyama et al. discloses a TV camera without indicating what structures in Hiyama et al. constitute the TV camera. The apparatus in Hiyama et al. is very different from the current apparatus which is evident in that at least several of the features noted by the Examiner do not correspond correctly to the disclosure of Hiyama et al.

In particular, Hiyama et al. discloses an “electronic endoscope...202 for three dimensional measurement....” (See, column 20, lines 21-23.) The electronic endoscope has a CCD 232 in its distal end and the “CCD 232 is connected to a signal connector 235 of a connector 211 through signal cable 234, and is connected to a signal processing circuit 237 and distance computing circuit 238 through a signal receptor 236 to which the signal connector 235 is connected.” (See, column 21, line 67 through column 22, line 4.) These reference numerals are carried through additional embodiments, including those specified by the Examiner.

Therefore, the Examiner’s interpretation of the signal connector 235 as an eye-piece section is incorrect. The signal connector is carrying an electrical signal from a CCD 232 to the signal connector. That is not an eye-piece section. In addition, Hiyama et al. does not show a TV camera connected to the eye-piece section of the endoscope. The light source units 205, 252, etc. are not TV cameras, and are not connected to an eye-piece section. Furthermore, the signal

processing circuit 237 is not an image pick-up element, as the Examiner indicated. One may characterize the CCD 232 as an image pick-up element, but it is in the distal end of the insertion section of the electronic endoscope disclosed in Hiyama et al. Therefore, Applicants respectfully submit that all pending claims 54-70 are patentable over the references of record. Applicants thus respectfully request that the rejections under 35 U.S.C. §§ 102(b) and 103(a) be withdrawn and that the election of species requirement be withdrawn since the non-elected claims depend from allowable base claims.

Applicants have addressed all of the Examiner's rejections and respectfully submit that the Application is in condition for allowance.

Applicants' representative hereby requests a personal interview with the Examiner prior to another Action on the merits.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

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